UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

BELLAKEN GARDENS & SKILLED NURSING

and

Case 32-CA-114644

SERVICE EMPLOYEES INTERNATIONAL UNION UNITED HEALTHCARE WORKERS-WEST

ORDER¹

The Employer's petition to revoke subpoena ad testificandum A-982412 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., February 27, 2014

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.